

## REMARKS

### **I. The Rejection of Claims 1-5 pursuant to 35 USC 112 second paragraph**

Claims 1-5 stand rejected under 35 USC 112 second paragraph as indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Specifically, in claims 1 and 3 the basis for recited amounts is not set forth; in claim 3 the language "further molding" is questioned; in claim 4 the word "are" is questioned; and in claim 5 the term "output ratio" is considered indefinite.

The following changes are offered in an effort to satisfy these concerns. First, in Claim 3 "further molding" is replaced with language to the effect that "the polyamide (A) further comprises". Applicant submits that the replaced language was a minor wording error that was not corrected in the proofreading process. Further in this claim "a" has been changed to "an".

Second, in Claim 4 the word in question "are" has been changed to "is". And third, in Claim 5 the phrase "output ratio" should read "aspect ratio" (as supported on page 7, paragraph 4 of the specification). In both instances it is submitted these are grammatical errors not corrected during final case proofreading. Applicant thanks the Examiner for the careful reading given to the case in noticing these problems. Applicant also takes this opportunity to correct a typographical error ("from") in claim 4.

Regarding the recited amounts in Claims 1 and 3, Applicant submits that the amounts as listed are consistent with other information in the case (most notably, the Summary of Invention and the Examples). As such Applicant contends that further modification is not required.

**II. Th Rejection of Claims 1-5 as obvious under 35 USC 103 over Payne et al in view of Weber et al**

Claims 1-5 are rejected as being unpatentable over U.S. 5,013,786 (Payne et al) and U.S. 6,211,266 (Weber et al). The Examiner applies Payne et al for its disclosure of a composition comprising (A) thermoplastic polyamide, (B) fibrous or particulate filler and (C) rubber impact modifier. The Examiner concludes that in essence Payne et al differ from the presently claimed invention in not expressly disclosing the length and aspect ratio of the wollastonite filler. Weber et al is then combined with this reference, for its disclosure of what the Examiner considers the conventionality of using wollastonite as filler in a polyamide-based composition.

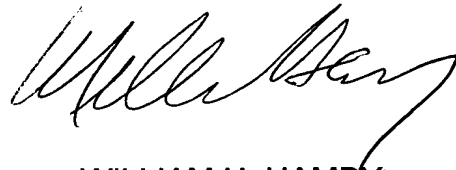
Applicant respectfully submits that no suggestion or motivation can be found in the cited references for making the combination suggested by the Examiner. More specifically, Weber et al do not disclose or suggest the use of elastomer in combination with the wollastonite in polyamide molding compositions. Instead this reference discloses the use of rubber-free and styrene base copolymers in combination with a mixture of two different polyamides. This is quite different from the teachings of the present invention (which provides a polyamide molding composition with low warpage, improved slidability and attractive recycling properties), and different from the compositions of Payne et al. as well.

Further, even if the references were considered a logical and appropriate combination by those of ordinary skill in the art, the claimed invention would not have been obvious therefrom. This is due in part to the concept that the wollastonite of the instant invention is not used for its conventional properties as a filler. For example, Weber et al incorporate filler for fibrous reinforcement (col 1 line 16) and any of a variety of such materials (carbon fibers, glass rovings, chopped glass) may be used (col 4, lines 22-26). And as pointed out in the instant invention (page 7 last paragraph) when glass fibers are compounded in

polyamides appreciable warping occurs. In marked contrast, in the instant invention low warpage is imparted due to the thoughtful use of wollastonite, a concept apparently not appreciated by either Payne et al or Weber et al.

Therefore, it is submitted that Claims 1-5 herein as amended are patentably distinct from the cited references, and that the case may pass to issuance in its amended form.

Respectfully submitted,



WILLIAM H. HAMBY  
ATTORNEY FOR APPLICANT  
REGISTRATION NO. 31,521  
TELEPHONE: (302) 992-3230  
FACSIMILE: (302) 992-3257

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

In showing the changes, deleted material is shown as bracketed, and inserted material is shown underlined.

**IN THE CLAIMS:**

3. (Amended) The polyamide composition of claim 2 [further molding] wherein said polyamide (A) further comprises aromatic monomer in [a] an amount greater than 20 mol. percent.

4. (Amended) The composition of claim 3 wherein said aromatic monomer [are] is selected [form] from the group consisting of aromatic diamines, aromatic carboxylic acids, and aromatic aminocarboxylic acids.

5. (Amended) The composition of claim 1 wherein said Wollastonite (c) has an average [output] aspect ratio in the range of 5:1 to 30:1.